

2025 SB 122 -Criminal Law - Hate Crimes - Law Enfo

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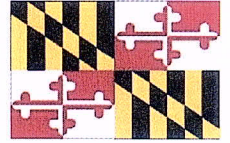
Position: FAV



CLYDE BOATWRIGHT
STATE PRESIDENT

Maryland State Lodge
FRATERNAL ORDER OF POLICE

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KENNY SCHUBERT
SECRETARY

EARL KRATSCH
TREASURER

January 14, 2025

Senate Bill 122: Hate Crimes – Law Enforcement Officers

Dear Chairman Smith and Distinguished Members of the Senate Judicial Proceedings Committee,

On behalf of the more than 20,000 courageous Women and Men of the Maryland Fraternal Order of Police, we ask for your **SUPPORT** of Senate Bill 122: **Hate Crimes - Law Enforcement Officers**.

Americans have watched story after story of law enforcement officers being attacked without warning across this great country. These men and women are the most recognizable symbol of, not only, our government but also our freedoms. Over that last few years, Law Enforcement Officers have become an all too frequent target of those filled with hatred and anger. We have watched as several senseless acts of violence and vandalism have been committed against members and their property solely for the fact that they are a part of law enforcement.

In Maryland, we have had several officers that were attacked or killed in ambush style attacks simply because they were law enforcement officers. Our members have also had their personal property vandalized just because of who they are. We have also witnessed vandalism to Police Department property and Buildings, as well as one of our own local FOP Lodges, Baltimore City, FOP Lodge 3.

The men and women who bravely put on their uniforms and go out to protect and serve the citizens of Maryland deserve to feel safe, even though their very profession thrusts them into the perils of danger at any given moment. That is a choice and a call that each and every one of them has answered freely and voluntarily. What these men and women have not done, is asked to be victimized based on the very profession they have chosen or the calling that chose them. The attacks on law enforcement must stop. We must make every effort to deter these attacks while supporting our law enforcement officers. There is a clear and distinguishable line and burden of proof between simple assault on an officer, resisting arrest and clearly targeting an officer because of who they are that will allow for this bill if enacted to ensure it is properly used and enforced.

Please show your support for the women and men who protect us every day by voting **FAVORABLE** on Senate Bill 122 **Hate Crimes – Law Enforcement Officers**.

Sincerely,

Angelo L. Consoli Jr.,
2nd Vice President, FOP, Maryland State Lodge
President, FOP 89, Prince George's County

SB0122_Hate_Crimes_Law_Enforcement_Officers_MLC_FA

Uploaded by: Cecilia Plante

Position: FAV



TESTIMONY FOR SB0122
CRIMINAL LAW – HATE CRIMES – LAW ENFORCEMENT OFFICERS

Bill Sponsor: Senator Folden

Committee: Judicial Proceedings

Organization Submitting: Maryland Legislative Coalition

Person Submitting: Cecilia Plante, co-chair

Position: FAVORABLE

I am submitting this testimony in favor of SB0122 on behalf of the Maryland Legislative Coalition. The Maryland Legislative Coalition is an association of activists - individuals and grassroots groups in every district in the state. We are unpaid citizen lobbyists, and our Coalition supports well over 30,000 members.

This bill would include Law Enforcement Officers in the prohibitions against hate crimes. The current law does not specify that Law Enforcement Officers are specifically prohibited from committing hate crimes. It is sad to think that we have to spell out this possibility, but in the past few years, we have come to understand that some Law Enforcement Officers have animus against certain groups or individuals and will harm them or their property if given a chance.

The only difference between Law Enforcement Officers and average citizens committing hate crimes is that we have historically given Law Enforcement Officers the benefit of the doubt due to their commitment to serve and protect. Seeing some of the blatant prejudice and hate that has harmed community after community, we feel that Law Enforcement Officers should be prosecuted just as average citizens if they violate their oath of office.

We support this bill and recommend a **FAVORABLE** report in committee

Testimony in support of SB0122 - Criminal Law - Ha

Uploaded by: Richard KAP Kaplowitz

Position: FAV

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01/16/2025

Richard Keith Kaplowitz
Frederick, MD 21703-7134

**TESTIMONY ON SB#0122 - POSITION: FAVORABLE
Criminal Law - Hate Crimes - Law Enforcement Officers**

TO: Chair Smith, Vice Chair Waldstreicher, and members of the Judicial Proceedings Committee

FROM: Richard Keith Kaplowitz

My name is Richard Kaplowitz. I am a resident of District 3. I am submitting this testimony in support of/ SB#/0122, Criminal Law - Hate Crimes - Law Enforcement Officers

Growing up our parents told us to trust the police if we were ever in trouble. Unfortunately, we are finding that is not always true in every case. The Washington Post ¹ has made clear that throughout our country, including here in Maryland, there are a few bad apples in the bunch. The Sheriff's Department in Frederick County has had to pay settlements for racial profiling cases. ² There is a documented bias in Maryland's criminal legal system, from racial profiling by police, to arresting and the conduct of the police, and in sentencing. 71% of Maryland's prison population is black people, more than twice the national average.

This bill will treat law enforcement officers the same as the general public with respect to the scope of certain prohibitions against committing certain crimes against certain persons, damaging certain property of certain persons, burning certain objects, and damaging certain buildings with which certain persons or groups have contacts or associations. It will govern law enforcement conduct in which there are elements or under circumstances that are exhibiting animosity against a certain person or group.

I respectfully urge this committee to return a favorable report on SB0122.

¹ https://www.washingtonpost.com/police-america/?reload=true&_id=1736889016117

² <https://www.aclu-md.org/en/press-releases/victory-lawsuit-over-frederick-county-sheriffs-racial-profiling-latinx-people>

SB122 Unfavorable (1).pdf

Uploaded by: Deborah Levi

Position: UNF



NATASHA DARTIGUE
PUBLIC DEFENDER

KEITH LOTRIDGE
DEPUTY PUBLIC DEFENDER

MELISSA ROTHSTEIN
CHIEF OF EXTERNAL AFFAIRS

ELIZABETH HILLIARD
DIRECTOR OF GOVERNMENT RELATIONS

POSITION ON PROPOSED LEGISLATION

BILL: SB122 Criminal Law - Hate Crimes - Law Enforcement Officers

FROM: Maryland Office of the Public Defender

POSITION: Unfavorable

DATE: January 14, 2025

The Maryland Office of the Public Defender respectfully requests that this Committee issue an unfavorable report on SB122 because our state's hate crimes law is designed to protect vulnerable and previously abused populations; it is not designed or intended to provide protection to people for their chosen profession. There are other means available to address the same objective, and including law enforcement and others who hold positions of power under our state's hate crimes law dilutes the impact and purpose of such important protections.

America's original hate crimes law was passed in 1969 to provide protections for people who were victims of crimes based on a person's race, color, religion or national origin. In October 2009, the United States Congress passed the Matthew Shepard and James Byrd Jr. Hate Crimes Prevention Act. That law expanded the 1969 United States federal hate crimes law to include protections for victims of crimes based on their perceived gender, sexual orientation, gender identity, or disability. Mr. Shepard and Mr. Byrd were both brutally murdered for immutable characteristics — their sexual orientation or their race — by folks who either had phobias towards people who were gay or had been admitted white supremacists. Based on those brutal crimes, Congress responded by expanding our federal hate crimes law, and Maryland followed suit. Our state and federal hate crimes laws are designed to protect against crimes based on an immutable characteristic or a situation related to poverty that appears to be beyond a person's control. In other words, hate crime laws are designed to protect vulnerable people who have endured a history of discrimination and a history of abuse. A chosen profession, particularly a profession that provides significant power, is not an immutable characteristic or vulnerable circumstance that requires protection under our hate crimes law. Adding

people in power to the hate crime laws also dilutes the law's purpose and important policy implications.

If there is a demonstrated need to protect law enforcement officers, there are enhancements that this body could enact for crimes unrelated to the hate crimes law. Of course, the Office of the Public Defender does not advocate for enhancements, but there are enhancements in our state law already, and there are many enhancements in federal law for crimes directed toward law enforcement officers. Adding law enforcement to the list of vulnerable persons protected by our hate crimes law weakens our message and is misplaced.

Finally, similar legislation has been presented in Congress and has repeatedly been rejected, and we urge this body to do the same, while continuing to extend protections under our state hate crimes law to folks who are vulnerable, who have been discriminated against, who have been physically and verbally abused, and who are in particular need of protection.

For these reasons, the Maryland Office of the Public Defender urges this Committee to issue an unfavorable report on SB122.

**Submitted by: Maryland Office of the Public Defender, Government Relations Division.
Authored by: Deborah Katz Levi, Chief of Strategic Litigation,
Deborah.Levi@Maryland.Gov**